

DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled Mc1-1 GENE REGULATORY ELEMENTS AND A PRO-APOPTOTIC Mc1-1 VARIANT the specification of which:

	is attached hereto.		
X	was filed on January 14, 2000 (Attorney Docket No. DART1110-1)		
	as U.S. Application Serial No	09/483,184	
	and was amended on	(the "Application").	

I hereby authorize and request insertion of the application serial number of the Application when officially known.

I hereby state that I have reviewed and understand the contents of the aboveidentified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter of the Application as defined in Title 37, Code of Federal Regulations ("C.F.R."), § 1.56.

Gray Cary\GT\6164175.2 104663-159122

PATENT ATTORNEY DOCKET NO.: DART1110-1

With respect to the Application, I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

60/166,113 November 16, 1999
(Application Serial No.) (Filing Date)

I hereby claim foreign priority benefits under Title 35, United States Code, Section 365 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America or any PCT international application(s) designating the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

COUNTRY	APPLICATION NO.	FILING DATE	PRIORITY CLAIMED

With respect to the Application, I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of the application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter of the Application as defined in Title 37, C.F.R., Section 1.56 which became available between the

1

PATENT ATTORNEY DOCKET NO.: DART1110-1

filing date of the prior application and the national or PCT International filing date of the

Application: (Status) (Filing Date) (patented, pending, abandoned) (Application Serial No.)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor:	Ruth W. Craig
Inventor's signature:	1 (1) (1)
Inventor's signature:	to a cray

Date: Uy 6, 2003 Residence: West Lebanon, New Hampshire

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Full name of second inventor: Inventor's signature: Date:

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United Kingdom Citizenship:

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ATTORNEY DOCKET NO.: DART1110-1

Full name of third inventor:

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Inventor's signature: _

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Citizenship: United Kingdom

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ATTY. DOCKET NO.: DART1110-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Craig, et al.

Art Unit:

1642

Application No.:

09/483,184

Examiner

K. Canella

Filed:

January 14, 2000

Title:

Mc1-1 GENE REGULATORY ELEMENTS AND A PRO-

APOPTOTIC Mc1-1 VARIANT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

VERIFIED STATEMENT UNDER 37 C.F.R. § 1.821(f)

Sir:

I, Mikhail Bayley, declare that I personally prepared the paper and the computerreadable copies of the Sequence Listing filed herewith in the above-entitled case and that the content of both is the same.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of The United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: October 23, 2003

Mikhail Bayley

GRAY CARY WARE & FREIDENRICH LLP 4365 Executive Drive, Suite 1100 San Diego, CA 92121-2133

Customer Number: 28213

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date,

October 23, 2003, in an envelope addressed to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450.

Person Mailing Paper
October 23, 2003

Date